

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

SAMUEL JOHN,	:	CIVIL NO. 1:06-CV-2197
	:	
Plaintiff	:	(Judge Caldwell)
	:	
v.	:	(Magistrate Judge Smyser)
	:	
THOMAS H. HOGAN, et al.,	:	
	:	
Defendants	:	

REPORT AND RECOMMENDATION

The plaintiff filed this 42 U.S.C. § 1983 action on November 9, 2006. The plaintiff is proceeding *pro se*.

Local Rule 83.18, Rules of Court, M.D. Pa., requires a *pro se* litigant to maintain his or her current address with the Clerk of Court.

Mail sent to the plaintiff at the address he has on file with the Clerk's office has been returned to the court with a notation that the plaintiff is no longer at that facility. The plaintiff has failed to inform the court of his new address.

By an Order dated May 8, 2007, the plaintiff was ordered to show cause, on or before May 29, 2007, why this case

should not be dismissed based on his failure to keep the court informed of his address. The Order of May 8, 2007 warned the plaintiff that if he fails to show cause it will be recommended that this action be dismissed pursuant to Fed.R.Civ.P. 41(b).

The plaintiff has not complied with the order of May 8, 2007. In fact, the copy of the Order of May 8, 2007 that was sent to the plaintiff at his address on file with the court was returned to the court with a notation that he is not at that address.

The plaintiff has not kept the court informed of his current address as required by Local Rule 83.18. Rules of Court, M.D. Pa. It appears that the plaintiff has abandoned this lawsuit. The plaintiff's complaint should be dismissed pursuant to Fed.R.Civ.P. 41(b).

Based on the foregoing, it is recommended that the plaintiff's complaint be dismissed.

/s/ J. Andrew Smyser
J. Andrew Smyser
Magistrate Judge

Dated: June 8, 2007.